

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YING-DUO GAO, et al.

Serial No. 10/624,414

Filed: July 21, 2003

For: SPIRO-INDOLINES AS Y5 RECEPTOR  
ANTAGONISTSArt Unit: 1624Examiner: K. HabteRECEIVED  
AUG 08 2003  
TECH CENTER 1600/2900Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application.

This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Barbel R. Brown Date 8/7/03



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4. Except for Cite Nos. \_\_\_\_\_, copies of the references listed on the attached form are not enclosed because they have been submitted to or cited by the Office in a related application as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

upon which the instant application relies for an earlier filing date under 35 U.S.C. 120. Therefore, pursuant to 37 C.F.R. 1.98(d), copies of these references are not enclosed herewith. If this is inconvenient, additional copies will be submitted upon request.

5. In accordance with 37 C.F.R. 1.97, (check one)



the attached information is filed within three months of the filing date of the captioned case.



the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.



the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).



the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.



the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

Baerbel R. Brown

By: BAERBEL R. BROWN

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 47,449

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-0672

Date: 8/7/03



Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(use as many sheets as necessary)

**COMPLETE IF KNOWN**

<b>Application Number</b>	10/624,414
<b>Filing Date</b>	July 21, 2003
<b>First Named Inventor</b>	Ying-Duo Gao et al.
Group Art Unit	1624
Examiner Name	K. Habte
Attorney Docket Number	20329YDD

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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
			DE 198 24 175 A1		Novartis	12/02/1999
			EP 0 945 438 A1		Banyu Pharm. Co., Ltd.	09/29/1999
			EP 0 945 439 A1		Banyu Pharm. Co., Ltd.	09/29/1999
			EP 0 945 440 A1		Banyu Pharm. Co., Ltd.	09/29/1999
			EP 0 955 293 A1		Banyu Pharm. Co., Ltd.	11/10/1999
			WO 96/16542		Synaptic Pharm. Corp.	06/06/1996
			WO 97/19682		Synaptic Pharm. Corp.	06/05/1997
			WO 97/20820		Novartis	06/12/1997
			WO 97/20822		Novartis	06/12/1997
			WO 97/20823		Novartis	06/12/1997

Examiner  
Signature

Date Considered

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE****STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**COMPLETE IF KNOWN**

Application Number	10/624,414
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**OTHER NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	AA	Gerald et al., Nature (1996), Vol. 382, pp. 168-171, "A receptor subtype involved in Neuropeptide-Y-..."
	AB	Hu et al., J. of Biol. Chem. (1996), Vol. 271, No. 42, pp. 26315-26319, "Identification of a novel hypothalamic neuropeptide ..."
	AC	Nakamura et al., Biochimica et Biophysica Acta 1328 (1997), pp. 83-89, "Molecular cloning, organization and ..."
	AD	Schaffhauser et al., Diabetes, Vol. 46 (1997), pp. 1792-1798, "Inhibition of Food Intake by Neuropeptide Y Y5 ..."
	AE	Marsh et al., Nature Medicine, Vol. 4 (1998), pp. 718-721, "Role of the Y5 neuropeptide Y receptor ..."
	AF	Widdowson, Brain Research, 758 (1997), pp. 17-25, "Regionally-selective down-regulation of NPY Y5 ..."
	AG	Xin et al., NeuroReport 9 (1998), pp. 737-741, "Down-regulated NPY receptor subtype-5 mRNA ..."
	AH	Bobowski et al., J. Org. Chem., Vol. 46 (1981), pp. 4927-4931, "3,4,9,9a-Tetrahydro-1,4-ethano-3,4a-(iminoethano)-4aH-carbazol-2(1H)-one derivatives ..."
	AI	Bobowski, J. Org. Chem., Vol. 50(7), (1985), p. 929-931, "3,4,9,9a-Tetrahydro-1,4-ethano-3,4a-(iminoethano)-4aH-carbazol-2(1H)-one derivatives"
	AJ	Chaby, Drug Discovery Today, Vol. 4(5) (1999), pp. 209-221, "Strategies for the control of LPS-mediated pathophysiological disorders"
	AK	Opal et al., Infect. Disease Clinics of North America, Vol. 13(2) (1999), pp. 285-297, "Clinical trials for severe sepsis"

Examiner Signature

Date Considered